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WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1997



ENROLLED

SENATE BILL NO. 535

(By Senator WOOTON, ET AL)



PASSED APRIL 12, 1997

In Effect FROM Passage

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OFFICE OF THE CLERK
SENATE OF WEST VIRGINIA

ENROLLED

Senate Bill No. 535

(BY SENATORS WOOTON, BALL, BOWMAN, HUNTER,
SCHOONOVER AND WHITE)

[Passed April 12, 1997; in effect from passage.]

AN ACT to amend chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new article, designated article one-b, relating to estimating the number of West Virginia residents in applications and reporting of certain information for construction projects which are financed, in whole or in part, by public funds or at public expense; specifying report forms; and specifying effective and termination dates.

Be it enacted by the Legislature of West Virginia:

That chapter twenty-one of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new article, designated article one-b, to read as follows:

ARTICLE 1B. REPORTING OF EMPLOYMENT.

§21-1B-1. Findings; policy.

1 The Legislature finds that the purpose of economic
2 development efforts is to improve the lives of West
3 Virginians, and whereas, taxpayers spend a significant
4 amount of money on economic development projects to
5 create jobs, and state, county and municipal governments
6 want to maximize employment of local citizens whenever
7 contracting for public improvements a tracking mecha-
8 nism is needed to evaluate existing economic development
9 efforts regarding job creation to better assist the design of
10 training programs to meet the skills employers need.

§21-1B-2. Application of article.

1 This article applies to:

2 (a) Expenditures made after the first day of January, one
3 thousand nine hundred ninety-eight, by any public
4 authority made, in whole or in part, from public funds for
5 a public improvement project; and

6 (b) Any private capital project funded, in whole or in
7 part, after the first day of January, one thousand nine
8 hundred ninety-eight, by the issuance of tax incentives,
9 tax credits, or bonds or loans or other tax funded benefits
10 granted by the state or any of its political subdivisions any
11 economic development board or agency to induce or
12 encourage the undertaking of any such construction
13 project by any private person, corporation or any other
14 entity.

§21-1B-3. Compiling of information.

1 (a) Application for financial incentives from economic
2 development authorities, or other public authorities,
3 which will be used, in whole or in part, for the construc-
4 tion of public or capital improvement projects, shall
5 include a statement estimating the number and duration
6 of each construction job which will go to West Virginia
7 residents.

8 (b) Upon completion of any such project wherein the
9 contract for the project was awarded after the first day of

10 January, one thousand nine hundred ninety-eight, the
11 applicant shall complete a report consisting of the number
12 of individuals employed to construct such project, the
13 county and state where they reside, and the total hours
14 worked by each employee on such project and shall submit
15 such report to the state tax department within thirty days
16 of the completion of the project: *Provided*, That filing of
17 a bureau of labor statistics report on employment, payroll
18 and hours - intrastate construction, form bls 790b rev Jan
19 93, O.M.B. form approval no. 1220-0011, meets all require-
20 ments of this section when filed in accordance with this
21 article: *Provided, however*, That the filing of a single
22 annual report setting forth in the aggregate all contracts
23 in this state to which this article applies and which sets
24 forth the total number of individuals employed to con-
25 struct such projects and the county and state where they
26 reside shall be sufficient to fully meet the filing require-
27 ments of this article.

§21-1B-4. Effective date; termination provisions.

1 The provisions of this article shall be effective for
2 projects bid, contracted or entered into after the first day
3 of January, one thousand nine hundred ninety-eight, and
4 the provisions of this article shall expire and become void
5 at midnight, the thirty-first day of December, two thou-
6 sand one.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Ruby Ashenover
.....
Chairman Senate Committee

Neil Fantasia
.....
Chairman House Committee

Originated in the Senate.

In effect from passage

Russell Adams
.....
Clerk of the Senate

Bryce M. Bay
.....
Clerk of the House of Delegates

Carl Ray Tomblin
.....
President of the Senate

P.K.
.....
Speaker House of Delegates

The within *is approved* this the *5th*
day of *May*, 1907.

Earl Budge
.....
Governor

PRESENTED TO THE:

GOVERNOR

Date 4/21/97

Time 11:21am